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Attorneys for Defendants
STATS CHIPPAC, INC. and STATS CHIPPAC, LTD.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

DANG QUANG NGUYEN, a married man,

Plaintiff,

v.

STATS CHIPPAC, INC., a Delaware
Corporation; STATS CHIPPAC, LTD., a
Singaporean corporation,

Defendants.

Case No. 5:09-cv-03728-JW

**DEFENDANT STATS CHIPPAC, INC.'S
NOTICE OF MOTION TO COMPEL
DEPOSITION OF PLAINTIFF DANG
NGUYEN AND REQUEST FOR
SANCTIONS AGAINST PLAINTIFF AND
HIS ATTORNEYS**

Date: November 30, 2010
Time: 10:00 a.m.
Place: Courtroom 5, 4th Floor

Trial Date: None set

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Case No. 5:09-cv-03728-
JW

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on November 30, 2010, at 10:00 a.m., in Courtroom 5, 4th Floor of the United States District Court for the Northern District of California, San Jose Division, 280 South First Street, San Jose, California, before the Honorable Patricia V. Trumbull, United States Magistrate Judge, Defendant STATS ChipPAC, Inc. ("Defendant"), by and through their undersigned counsel, will, and hereby does, move to for an Order compelling Plaintiff Dang Nguyen ("Plaintiff") to appear for his own deposition.

Defendant's Motion is made on the grounds that Plaintiff's testimony regarding the circumstances surrounding his allegations against Defendant is relevant to Defendant's defense against the Complaint and prosecution of its Counter-Complaint. Over the last two months, Defendant has made a good-faith attempt to meet and confer with counsel for Plaintiff on mutually acceptable dates. To date, however, counsel for Plaintiff has failed to provide his and Plaintiff's available dates despite requests made by defense counsel. As such, good cause exists to order Plaintiff's deposition because his testimony is directly relevant to the subject matter involved in this action.

Additionally, Defendant seeks sanctions against Plaintiff and his attorney, Peter K. Strojnik, for failing to cooperate in discovery without any substantial justification. This Motion is based on this Notice of Motion, the Memorandum of Points and Authorities submitted herewith, Declaration of Gregory C. Cheng, Proposed Order thereon, all of the papers on file with this Court, and any oral argument that this Court may hear.

DATED: October 26, 2010

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

By: /s/ Gregory C. Cheng
Aaron A. Roblan
Gregory C. Cheng
Attorneys for Defendants STATS CHIPPAC,
INC. and STATS CHIPPAC, LTD.

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